

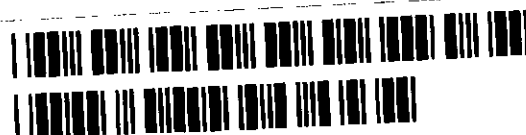
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AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
DEPUTY

The Honorable Marsha J. Pechman



07-CV-00475-ORD

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DIANNE L. KELLEY and KENNETH
HANSEN,

Plaintiffs,

v.

MICROSOFT CORPORATION, a Washington
Corporation,

Defendant.

No. CV07-00475 MJP

STIPULATION AND
~~PROPOSED~~ ORDER
PERMITTING FILING OF
REDACTED BRIEFS ON
MOTION FOR CLASS
CERTIFICATION

STIPULATION

On November 19, 2007, Microsoft filed its Opposition to Plaintiffs' Motion for Class Certification [Dkt. No. 87]. On that same day, Microsoft filed a Motion to Seal [Dkt. No. 85], asking the Court to seal certain portions of Microsoft's Opposition. In its Proposed Order in connection with the Motion to Seal, Microsoft proposed that it would file a redacted version of its Opposition, as has been the custom with respect to other sealed briefs in this matter. *See, e.g.*, Redaction to Sealed Motion for Class Certification [Dkt. No. 83].

The pending Motion to Seal is calendared for consideration on December 11, 2007. In the meantime, because this matter has attracted interest in the media and from the public, Microsoft has requested plaintiffs' consent to the filing of a redacted version of its Opposition in advance of disposition of its Motion to Seal, so as to permit public access to that document. Without prejudice to their position with respect to the pending Motion to Seal, plaintiffs

STIPULATION & ORDER PERMITTING FILING OF REDACTED OPP. TO
MOTION FOR CLASS CERTIFICATION (CV07-00475 MJP) - 1
DWT 2175981v1 0025936-000689

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LAW OFFICES
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Seattle, Washington 98101-3045
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1 stipulate and agree that filing such a redacted copy would be in the public interest, provided
2 that similar treatment is accorded to plaintiffs' Reply in support of their Motion for Class
3 Certification, expected to be filed on or before December 19, 2007.

4 Based on the foregoing, the parties hereby stipulate and agree that (1) Microsoft may
5 file a redacted version of it Opposition [Dkt. No. 87] immediately upon entry of the subjoined
6 Order, and (2) plaintiffs similarly may file a redacted version of any brief in connection with
7 the pending class certification and choice of law motions upon filing the appropriate Motion
8 to Seal, without awaiting disposition of that motion.

9 DATED this 29th day of November, 2007.

10 Davis Wright Tremaine LLP
11 Attorneys for Defendant
Microsoft Corporation

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1 DATED this 30th day of November, 2007.

2 GORDON TILDEN THOMAS &
3 CORDELL LLP
4 Attorneys for Plaintiff Dianne L. Kelley and
Kenneth Hansen

5 By /s/ Jeffrey M. Thomas

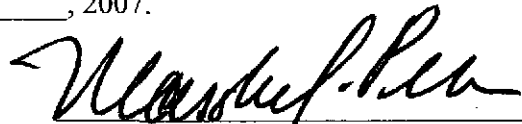
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ORDER

IT IS SO ORDERED.

DATED this 4 day of Dec, 2007.



MARSHA J. PECHMAN
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I hereby certify that on November 30, 2007, I electronically filed the foregoing
*Stipulation and [Proposed] Order Permitting Filing of Redacted Opposition to Motion for
Class Certification* with the Clerk of the Court using the CM/ECF system which will send
notification of such filing to the following:

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DATED this 30th day of November, 2007.

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